

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

RUSHAWN SMITH

PLAINTIFF

VS.

CIVIL ACTION NO. 3:09cv668

KOCH FOODS OF MISSISSIPPI, LLC

DEFENDANT

NOTICE OF INTENT TO SERVE SUBPOENA

COMES NOW, Defendant, Koch Foods of Mississippi, LLC, by and through its undersigned counsel, and give notice, pursuant to Fed. R. Civ. Pro. 45, of its intent to serve the Subpoena attached hereto as Exhibit A upon the Mississippi Department of Employment Security.

This the 3rd day of August, 2010.

Respectfully Submitted,

KOCH FOODS OF MISSISSIPPI, LLC

By: /s/ Karen E. Howell

OF COUNSEL:

Stephen J. Carmody, Esq., MSB # 8345
Karen E. Howell, Esq., MSB # 102243
Brunini, Grantham, Grower & Hewes, PLLC
The Pinnacle Building
190 East Capitol Street
P.O. Drawer 119 (39205)
Jackson, MS 39201
Telephone: (601) 948-3101
Facsimile: (601) 960-6902

Edward N. Druck, pro hac vice
Abizer Zanzi, pro hac vice
Franczek Radelet P.C.
300 South Wacker Drive
Suite 3400
Chicago, IL 60606

CERTIFICATE OF SERVICE

I do hereby certify that I have this day forwarded a true and correct copy of the foregoing document *via* Electronic Case Filing System to the following:

Louis H. Watson, Jr., Esquire
Victoria J. Prince, Esquire
Louis H. Watson, Jr., P.A.
520 East Capitol Street
Jackson, MS 39201

This the 3rd day of August, 2010.

/s/ Karen E. Howell

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

RUSHAWN SMITH

Plaintiff

v.

KOCH FOODS OF MISSISSIPPI, LLC

Defendant

Civil Action No. 3:09cv668

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Mississippi Department of Employment Security
1235 Echelon Parkway, Jackson, MS 39215-1699

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: The Commission's entire file on Rushawn Smith, including but not limited to any investigative files, notes, memoranda, correspondence, messages, opinions, and all written, typed, printed, recorded, or transcribed material (in whatever form) in the possession, custody, or control of the Commission.

Place: Brunini, Grantham, Grower & Hewes, PLLC
P.O. Drawer 119
Jackson, MS 39205

Date and Time:
10 days from receipt of
subpoena

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 8/3/10

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Karen E. Howell
Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Koch Foods of Mississippi, LLC, who issues or requests this subpoena, are:
Karen E. Howell, Brunini, Grantham, Grower & Hewes, PLLC; P.O. Drawer 119, Jackson, MS; khowell@brunini.com; 601-948-3101

EXHIBIT

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